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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,778	11/13/2003	Hendrik Willem Meijer	U 014884-0	7412
140	7590	12/01/2005		
LADAS & PARRY 26 WEST 61ST STREET NEW YORK, NY 10023			EXAMINER A, PHI DIEU TRAN	
			ART UNIT	PAPER NUMBER
			3637	
DATE MAILED: 12/01/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/712,778

Applicant(s)

MEIJER ET AL.

Examiner

Phi D. A

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12, 20-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Dean (3728834).

Dean (figures 2, 7-11) shows a wall element assembly comprising a coupling profile (520), wall elements (512, 100, 102), at least one cover profile for covering the coupling profile, the coupling of the wall elements to each other for the wall element assembly consists essentially of the coupling profile, the cover profile (518) is coupled to the coupling profile for the covering, the wall elements abut each other (figure 7 shows the elements 100 and the its other extended part which is M-shaped and element 102 abut), the cover profile fully covers the coupling profile (502, figure 11), the cover profile is situated on the other side of the coupling profile rather than the side of the coupling profile where the wall elements meet (figure 2, 7), the cover profile extends over the pairs of wall elements in a direction perpendicular to the longitudinal direction of the wall elements (figure 7), the coupling profile is made of a rigid material, the profile being metal, the wall elements being made of wood (col 2 line 22), the coupling profile at the cover side forms an angle of greater than 180o (figure 7 shows the parts 32' and 40' having angle greater than 180o), the coupling profile is straight, the coupling profile is provided with an outermost recess for accommodating the cover profile and an innermost recess for accommodating ends of the wall elements (figures 7), the at least one cover profile fully covers

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the coupling profile, the connected wall elements abut each other, the wall elements are garden house wall elements (inherently can function as garden house wall elements), the coupling profile for coupling the wall elements to each other without glue or fastener for the wall element assembly.

3. Claims 1-9, 11-16-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Davis et al (6250032).

Davis et al (figure 2) shows a wall element assembly comprising a coupling profile (34, 52), wall elements (30, 26), at least one cover profile(85) for covering the coupling profile, the coupling of the wall elements to each other for the wall element assembly consists essentially of the coupling profile, the cover profile is coupled to the coupling profile for the covering, the wall elements abut each other (indirectly through the coupling profile), the cover profile fully covers the coupling profile, the cover profile is situated on the other side of the coupling profile rather than the side of the coupling profile where the wall elements meet, the cover profile extends over the pairs of wall elements in a direction perpendicular to the longitudinal direction of the wall elements, the coupling profile is made of a rigid material, the wall elements being made of wood (fiber board), the coupling profile is straight, the coupling profile is provided with an outermost recess (between parts 55) for accommodating the cover profile and an innermost recess (the space within parts 40, 35, 36) for accommodating ends of the wall elements, the outermost recess is limited to either side by two outermost legs (the ends of part 55 that form the narrow end of the channel 50), the longitudinal edges of the cover profile being provided with respective recesses to fit over the respective outermost legs, and the innermost recess being limited to either side by two innermost legs (the parts 40), the ends of the wall elements being provided with

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respective recesses (the space formed by part 30 and part 26) to fit over the respective innermost legs, the outermost legs having a square bucket (at the ends), the outermost and innermost legs have been arranged perpendicularly to the base surface of the outermost recess and the innermost recess respectively, the wall element assembly further comprising a pair of lower edge members (figure 1) coupled by the coupling profile, the ends of the wall elements and lower edge members (15, 16) having recesses to fit over the respective innermost legs, the lower edge members are covered by the cover profile (when viewed from the corner), the at least one cover profile fully covers the coupling profile, the connected wall elements abut each other, the wall elements are garden house wall elements (inherently can function as garden house wall elements), the coupling profile for coupling the wall elements to each other without glue or fastener for the wall element assembly.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

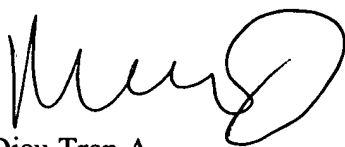
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The prior art shows different corner assembly designs.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phi D A whose telephone number is 571-272-6864. The examiner can normally be reached on Monday-Thursday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lanna Mai can be reached on 571-272-6867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Phi Dieu Tran A', with a large, stylized loop at the end.

Phi Dieu Tran A

11/23/05